



BEFORE THE ARIZONA CORPORATION COMMISSION

JEFF HATCH-MILLER
Chairman

WILLIAM MUNDELL
Commissioner

MARK SPITZER
Commissioner

MIKE GLEASON
Commissioner

KRISTIN K. MAYES
Commissioner

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AZ CORP COMMISSION
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IN THE MATTER OF THE APPLICATION
OF GILA BEND POWER PARTNERS AND
ITS ASSIGNS IN CONFORMANCE WITH
THE REQUIREMENTS OF ARIZONA
REVISED STATUTES 40-360.03 AND 40-
360.06 FOR A CERTIFICATE OF
ENVIRONMENTAL COMPATIBILITY
AUTHORIZING CONSTRUCTION OF ONE
500KV TRANSMISSION LINE AND THE
WATERMELON SWITCHYARD IN
MARICOPA COUNTY, ARIZONA
ORIGINATING AT THE PROPOSED GILA
BEND POWER PARTNERS POWER
PROJECT LOCATED NORTHWEST OF THE
CENTER OF THE TOWN OF GILA BEND,
ARIZONA (SECTION 19, TOWNSHIP 5
SOUTH, RANGE 5 WEST, G&SRB&M) AND
TERMINATING AT THE PROPOSED
WATERMELON SWITCHYARD SECTION
22, TOWNSHIP 5 SOUTH, RANGE 4 WEST,
A DISTANCE OF APPROXIMATELY 9
MILES.

DOCKET NO: L-00000V-00-01009

CASE No: 109

GILA BEND POWER PARTNERS' APPLICATION FOR EXTENSION OF
CERTIFICATE OF ENVIRONMENTAL COMPATIBILITY

Gila Bend Power Partners, L.L.C. ("GBPP") respectfully requests that the time
period to construct facilities authorized by the Certificate of Environmental Compatibility

1 ("CEC") approved in Arizona Corporation Commission ("Commission") Decision No.
2 63762 (June 12, 2001) (the "Decision") be extended until June 12, 2011. A copy of the
3 Decision is attached as Exhibit A.

4 The Decision granted GBPP a CEC to construct (i) a 500 kV transmission line, (ii)
5 a 500kV switchyard and (iii) a 500kV interconnection. This CEC also authorized GBPP
6 to attach an existing 230kV circuit on the new 500kV structures.

7 This CEC was a companion CEC to Commission Decision No. 63552 in Line
8 Siting Case No. 106, which authorized GBPP to build an 845 MW natural gas fired plant.
9 The CEC in this Case No. 109 authorized the construction of a switchyard and
10 transmission line to connect the proposed power plant to the transmission grid. The
11 switchyard was constructed but not the transmission line. GBPP invested \$750,000 in the
12 switchyard construction.

13 GBPP, in a separate application, is also requesting a five year extension of the CEC
14 in Case No. 106. GBPP incorporates by reference the explanation for these related
15 extension requests contained in the Case No. 106 application. An extension must be
16 granted in both Case Nos. 106 and 109 for the GBPP project to be viable.

17 For the reasons set forth in the Application for Extension filed by GBPP in Case
18 No. 106, GBPP also requests a five year extension in Case No. 109.

19 RESPECTFULLY SUBMITTED this 7th day of March, 2006.

20 LEWIS AND ROCA LLP

21 

22 Thomas H. Campbell
23 Albert H. Acken
24 40 N. Central Avenue
Phoenix, Arizona 85004-4429

25 Attorneys for Gila Bend Power Partners, L.L.C.
26

1 ORIGINAL and twenty-five (25) copies
2 of the foregoing hand-delivered this
3 7th day of March, 2006, to:

4 The Arizona Corporation Commission
5 Utilities Division – Docket Control
6 1200 W. Washington Street
7 Phoenix, Arizona 85007

8 COPY of the foregoing hand-delivered
9 this 7th day of March, 2006, to:

10 Jerry Smith
11 The Arizona Corporation Commission
12 1200 W. Washington Street
13 Phoenix, Arizona 85007

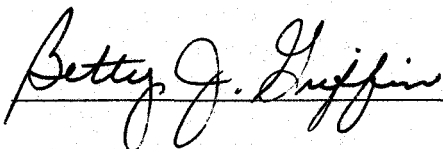
14 Lyn Farmer, Chief Administrative Law Judge
15 Hearing Division
16 The Arizona Corporation Commission
17 1200 W. Washington Street
18 Phoenix, Arizona 85007

19 Janice Alward
20 Legal Division
21 The Arizona Corporation Commission
22 1200 W. Washington Street
23 Phoenix, Arizona 85007

24 Brian McNeil, Executive Secretary
25 The Arizona Corporation Commission
26 1200 W. Washington Street
Phoenix, Arizona 85007

COPY of the foregoing mailed this
7th day of March, 2006, to:

Laurie Woodall
Office of the Attorney General
1275 W. Washington Street
Phoenix, Arizona 85007



BEFORE THE
ARIZONA POWER PLANT AND TRANSMISSION LINE SITING COMMITTEE

IN THE MATTER OF THE APPLICATION OF)
GILA BEND POWER PARTNERS AND ITS)
ASSIGNS IN CONFORMANCE WITH THE)
REQUIREMENTS OF ARIZONA REVISED)
STATUTES 40-360.03 AND 40-360.06 FOR A)
CERTIFICATE OF ENVIRONMENTAL)
COMPATIBILITY AUTHORIZING)
CONSTRUCTION OF ONE 500kV)
TRANSMISSION LINE AND THE)
WATERMELON SWITCHYARD IN MARICOPA)
COUNTY, ARIZONA ORIGINATING AT THE)
PROPOSED GILA BEND POWER PARTNERS)
POWER PROJECT LOCATED NORTHWEST)
OF THE CENTER OF THE TOWN OF GILA)
BEND, ARIZONA (SECTION 19, TOWNSHIP)
5 SOUTH, RANGE 5 WEST, G&SRB&M) AND)
TERMINATING AT THE PROPOSED)
WATERMELON SWITCHYARD SECTION 22,)
TOWNSHIP 5 SOUTH, RANGE 4 WEST, A)
DISTANCE OF APPROXIMATELY 9 MILES.)

CASE NO. 109

DOCKET NO.: L-00000V-01-0109

Decision No. 63762

Arizona Corporation Commission

DOCKETED

JUN 12 2001

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VL

**AMENDED DECISION OF THE ARIZONA POWER PLANT AND
TRANSMISSION LINE SITING COMMITTEE
AND CERTIFICATE OF ENVIRONMENTAL COMPATIBILITY.**

Pursuant to the notice given as provided by law, the Arizona Power Plant and Transmission Line Siting Committee ("Committee") held public hearings at the Best Western Executive Park Hotel, 1100 North Central Avenue, Phoenix, Arizona, on March 12, 2001, and at the Phoenix Corporate Center, Room 280, 3003 North Central Avenue, Phoenix, Arizona on April 5, 2001, in conformance with the requirements of Arizona Revised Statutes §40-360 et seq., for the purpose of receiving evidence and deliberating upon the Application of Gila Bend Power Partners, L.L.C. and its assigns ("Applicant") for a Certificate of Environmental Compatibility in the above-captioned case.

Decision No. 63762

EXHIBIT A

1 The following members and designees of members of the Committee were present for the
2 evidentiary presentation during the March 12, 2001 hearing, and/or for the April 5, 2001 hearing and
3 deliberations and vote on the Application:

4 Laurie A. Woodall	Chair, and Designee for Arizona Attorney 5 General Janet Napolitano
6 Ray Williamson	Arizona Corporation Commission
7 Richard Tobin	Arizona Department of Environmental Quality
8 George Campbell	Appointed Member
9 Jeff McGuire	Appointed Member
10 Mike Palmer	Appointed Member
11 Sandie Smith	Appointed Member
12 Wayne Smith	Appointed Member

13 The Applicant was represented by Lawrence V. Robertson, Jr. of Munger Chadwick, P.L.C.
14
15 An appearance of record was also entered for Karen L. Peters, Squire, Sanders & Dempsey, L.L.P..
16
17 Staff of the Arizona Corporation Commission ("Commission") was represented by its counsel, Teena
18 Wolfe. There were no intervenors.

19
20 At the conclusion of the public hearings, after consideration of (i) the Application and the
21 evidence presented during the public hearings, and (ii) the legal requirements of Arizona Revised
22 Statutes §§40-360 to 40-360.13 and A.A.C. R14-3-213, upon motion duly made and seconded, the
23 Committee voted to grant Applicant the following Certificate of Environmental Compatibility (Case
24 No. 109).

25
26 Applicant is hereby granted a Certificate of Environmental Compatibility for authority to
27 construct the following facilities, as requested in the Application: (i) a 500 kV transmission line,
28

1 (ii) 500 kV switchyard and (iii) a 500 kV interconnection. This Certificate authorizes the attachment
2 of an existing 230 kV circuit on the new 500 kV structures, which will be designed and constructed
3 to accommodate a future upgrade of the 230 kV circuit to 500 kV. This Certificate authorizes (but
4 does not require) that upgrade at a future date. If in the future a portion of the existing 230 kV line
5 is relocated, this Certificate authorizes (but does not require) the replacement of that portion of the
6 existing 230 kV line with a 500 kV line.
7

8 Applicant's 500 kV transmission line will originate at Applicant's Gila Bend generating
9 station (Section 19, Township 5 South, Range 5 West, G&SRB&M), and follow an easterly
10 alignment for approximately 9 miles, terminating at Applicant's proposed Watermelon Switchyard
11 (Section 22, Township 5 South, Range 4 West, G&SRB&M). The 500 kV transmission line
12 alignment will parallel and be adjacent to the south side of Watermelon Road for approximately 7.5
13 miles, and the remaining 1.50 miles will extend in an easterly direction from that point where
14 Watermelon Road terminates at Old U.S. Highway 80. The transmission line will consist of steel
15 monopole structures designed and constructed to accommodate two 500 kV circuits. Where the
16 Applicant's proposed transmission line is coincident with Arizona Public Service Company's
17 ("APS") existing Liberty to Gila Bend 230 kV transmission line, APS' Liberty to Gila Bend 230 kV
18 transmission line will occupy one circuit position of the Applicant's double circuit structures and the
19 existing structures currently supporting APS' Liberty to Gila Bend 230 kV transmission line will be
20 removed. The routing, design, height and material composition of the 500 kV and 230 kV
21 transmission line facilities will be as testified to by Applicant's witness Walther at the April 5, 2001
22 hearing, and as depicted in Exhibit "A" attached hereto.
23
24
25

26 The 500 kV Watermelon Switchyard will be located on approximately 40 acres in the SW
27 1/4 of Section 22, Township 5 South, Range 4 West, G&SRB&M. It will serve both as the
28

1 termination point of the 500 kV transmission line hereby certificated, and as the point of
2 interconnection of that transmission line with the two 500 kV transmission lines previously
3 certificated to APS in Case No. 102. The design, height and material composition of the
4 Watermelon Switchyard facilities shall be as set forth in the Application and supporting exhibits.

5 The 500 kV interconnection at the Watermelon Switchyard will ultimately interconnect
6 Applicant's Gila Bend electric generation station with the Hassayampa Switchyard via the two 500
7 kV transmission lines certificated by the Committee in Case No. 102 and the 500 kV transmission
8 line certificated in Case Nos. 24 and 31. The details of these interconnections will be the subject
9 of contractual arrangements to be entered into between Applicant and APS, and Applicant and the
10 Salt River Project ("SRP"), respectively.
11

12 The issuance and approval of this Certificate of Environmental Compatibility by the
13 Committee and the Commission will satisfy Condition No. 15 of the Certificate of Environmental
14 Compatibility granted to Applicant in Case No. 106.
15

16 This Certificate of Environmental Compatibility is granted upon the following conditions.
17

- 18 1. Applicant shall comply with all existing applicable air and water
19 pollution control standards and regulations, and with all existing
20 applicable ordinances, master plans and regulations of the State of
21 Arizona, the County of Maricopa, the United States and any other
22 governmental entities having jurisdiction.
- 23 2. Applicant shall provide the Commission with copies of any
24 transmission agreements it ultimately enters into with APS and SRP,
25 respectively, within 30 days of execution of those agreements.
- 26 3. In connection with the final design and construction of the
27 transmission line and switchyard facilities herein authorized,
28 applicant shall:
 - A. Use existing access;
 - B. Minimize vegetation clearing;
 - C. Revegetate or restore areas of construction disturbance;
 - D. Use non-specular conductor and dulled structures;

- 1 E. Consolidate proposed 500 kV and existing 230 kV
2 transmission line facilities on single supporting
3 structures (pursuant to the request of the Town of Gila
4 Bend and members of the public);
- 5 F. Where possible, match the transmission supporting
6 structure height and span distance with those APS'
7 Gila River 500 kV transmission line facilities
8 previously authorized in Case No. 102 (pursuant to
9 the request of the Town of Gila Bend);
- 10 G. Locate the transmission line supporting structures so
11 that the line spans the archaeological site identified in
12 Applicant's cultural resources study;
- 13 H. Complete the native plant survey prior to
14 commencement of construction, and, if necessary,
15 develop a plant salvage program;
- 16 I. Landscape the Watermelon Switchyard with arid plant
17 materials; and
- 18 J. Construct an 8' to 10' earthen berm on the west side of
19 the Watermelon Switchyard in the location depicted
20 in Applicant's hearing Exhibit A-4.
- 21
- 22 4. a) The Applicant shall make every reasonable effort to identify and correct, on
23 a case-specific basis, all complaints of interference with radio or television
24 signals from operation of the line and related facilities. In addition to any
25 transmission repairs, the relevant corrective actions may include, adjusting
26 or modifying receivers, adjusting or repairing, replacing or adding antennas,
27 antenna signal amplifiers, filters, lead-in cables, or other corrective actions.
- 28 b) The Applicant shall maintain written records for a period of 5 years, of all
complaints of radio or television interference attributable to operation
together with the corrective action taken in response to each complaint. All
complaints shall be recorded to include notations on the corrective action
taken. Complaints not leading to a specific action or for which there was no
resolution should be noted and explained. The record shall be signed by the
project owner and also the complainant, if possible, to indicate concurrence
with the corrective action or agreement with the justification for a lack of
action.
- c) Applicant shall advise interested persons how they may express concerns or
submit complaints to Applicant or the Arizona Corporation Commission
when they believe the transmission line or switchyard facilities herein
authorized are creating noise in excess of applicable HUD standards or
causing interference with communications signals in excess of applicable
FCC standards. Such complaints as may be filed with the Commission shall
be processed pursuant to those provisions of A.A.C. R14-2-212(A) and (C)
applicable to service disputes.

5. This authorization to construct the aforementioned facilities shall expire five (5) years from the date this Certificate of Environmental Compatibility is approved by the Commission, unless construction is completed to the point that the 500 kV transmission line and 500 kV switchyard are capable of operating by that time; provided, however, that prior to such expiration Applicant may request that the Commission extend this time limitation.

The Committee has reviewed Arizona Corporation Commission Decision No. 46865 (Feb. 23, 1976), which granted a Certificate of Environmental Compatibility for the Liberty to Gila Bend 230 kV transmission line in Case No. 26. The Committee finds as a matter of fact, and concludes as a matter of law, that implementation of the above-described routing and design of Applicant's 500 kV transmission line, and the related effect on the current routing and design of APS' existing 230 kV transmission line, would be consistent with the Certificate of Environmental Compatibility issued in Decision No. 46865 and would not require an additional Certificate of Environmental Compatibility. This finding of fact and conclusion of law imposes no obligation on APS, the owner of the Liberty to Gila Bend 230 kV transmission line.

GRANTED this 11th day of APRIL, 2001.

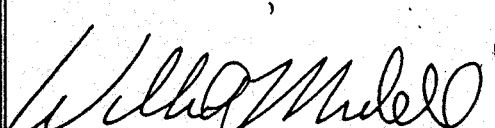
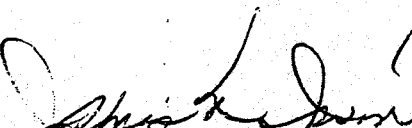
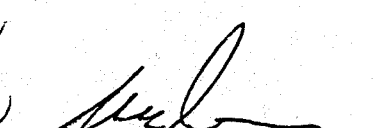
Arizona Power Plant and Transmission Line
Siting Committee

By: Laurie A. Woodall
Laurie A. Woodall, Chair -

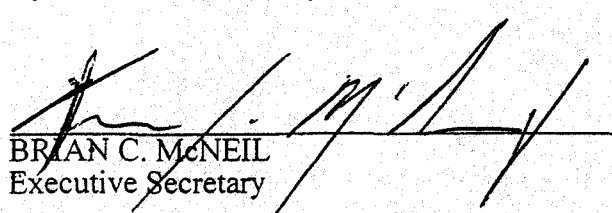
1 ORDER OF ARIZONA CORPORATION COMMISSION AFFIRMING AND
2 APPROVING CERTIFICATE OF ENVIRONMENTAL COMPATIBILITY

3 Having considered the foregoing decision of the Arizona Power Plant and Transmission Line
4 Siting Committee in light of the decision-making factors specified in Arizona Revised Statutes §40-
5 360.06, and, pursuant to Arizona Revised Statutes §40-360.07(c), having balanced in the broad public
6 interest the need for an adequate, economical and reliable supply of electric power with the desire
7 to minimize the effect thereof on the environment and ecology of Arizona, it is the decision of this
8 Commission that the Certificate of Environmental Compatibility granted by the Committee on
9 April 11, 2001 in Case No. 109 should be, and hereby is, affirmed and approved.
10

11
12 BY ORDER OF THE ARIZONA CORPORATION COMMISSION
13

14 
15 
16 
CHAIRMAN COMMISSIONER COMMISSIONER

17
18 IN WITNESS WHEREOF, I, BRIAN C. McNEIL,
19 Executive Secretary of the Arizona Corporation
20 Commission, have hereunto, set my hand and caused the
21 official seal of this Commission to be affixed at the
22 Capitol, in the City of Phoenix, this 12th day of
23 June, 2001.

24 
BRIAN C. McNEIL
Executive Secretary

25 Dissent: _____
26 212387
27
28

